

REMARKS

Applicants again thank the Examiner for the thorough review of the application, and for the withdrawal of the 102(b) rejection.

In the instant Paper, Claims 3, 4, and 9 have been amended. No new matter has been added by way of the amendments, and support for the amendments can be found at page 13 of the specification. Claims 15-28 are cancelled without prejudice or disclaimer.

The section heading and paragraph number used below correspond to that used in the pending Office Action.

Background

The present invention relates generally to novel compounds that are useful as ligands for modulating gene expression in living organisms, including plants and animals. More particularly, the present invention relates to compounds that are cyanoenamines that are useful as non-steroidal ligands for modulating exogenous gene expression in eukaryotic organisms, and particularly chlorophyll-containing plants.

Applicants thank the Examiner for the allowance of claims 1, 2, 5-8 and 11-13. Applicants believe that the amendments submitted herewith put claims 3,4,9, and 10 in condition for allowance. Applicants do not fully understand the ground for rejection of claim 14 as it is not specifically addressed in the pending Office Action, but Applicants believe it is also in condition for allowance.

Claim Rejections – 35 U.S.C. § 112

Applicants believe that the amendments to claims 3, 4, and 9 address the Examiner's grounds for rejection of claims 3,4, 9, and 10. The language used in the present amendments is essentially that used in the specification at page 13. In the

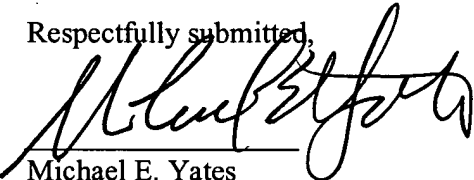
event the Examiner disagrees, Applicants submit the amendments at least clarify the claims for appeal, and respectfully submit that the amendments should be entered.

Conclusion

Applicants respectfully submit that the amendments made herein address all of the Examiner's outstanding grounds for rejection, or at least put the claims in better form for consideration in appeal, and respectfully request that the amendments be entered and the amended claims be allowed. If this process can be furthered by a discussion with Applicants' attorney (undersigned), he can be reached at 919-541-8587.

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September 15, 2004

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael E. Yates', written over a horizontal line.

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